AO91 (Rev. 8/01) Criminal Complaint

United States Courts
Southern District of Texas
FILED
AUG 11 2005
Michael N. Milby, Clerk of Court

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA
V.

SEAN PATRICK GRAHAM

(Name and Address of Defendant)

CRIMINAL COMPLAINT

Case Number: C-05-494M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about August 10, 2005 (Date) in Nueces County, in the Southern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

Knowingly possess with intent to distribute 2.1 pounds of Ice and conspired to possess and distribute Ice.

in violation of Title 21 United States Code, Section(s) 841 .

I further state that I am a(n) Task Force Officer (Official Title) and that this complaint is based on the following facts:

(See attached Affidavit)

Continued on the attached sheet and made a part of this complaint: X Yes ☐ No

Signature of Complainant

ISMAEL LOA
Printed Name of Complainant

Sworn to before me and signed in my presence,

August 11, 2005
Date

at Corpus Christi, Texas
City and State

BRIAN L. OWSLEY, U.S. MAGISTRATE JUDGE
Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, ISMAEL LOA, being duly sworn, state as follows:

1. I am a Corpus Christi Police Department (CCPD)/ Federal Bureau of Investigation (FBI) Task Force Officer (TFO) in Corpus Christi, Texas. I have been employed with CCPD for twenty nine years and as a TFO for approximately four years. During this time, I have primarily worked violent crime and drug investigations. This affidavit is based upon information obtained from an ongoing FBI and CCPD narcotics investigation.

2. Pursuant to a search and arrest warrant obtained by CCPD narcotics officer DAY, TFO LOA and other CCPD narcotics officers established surveillance at [redacted] Corpus Christi, Texas on August 10, 2005. This address is an address utilized by SEAN PATRICK GRAHAM. Three vehicles used by GRAHAM were observed outside the town home (#A). CCPD narcotics officer STEVEN DAY applied for an affidavit for a search and arrest warrant, listing [redacted] as the suspected place and SEAN P. GRAHAM as a suspected person. Judge James Klager, County Court #4, Corpus Christi, Nueces County, Texas, reviewed and signed the search and arrest warrant. At approximately 9:17 P.M., GRAHAM was observed to get into one of the vehicles identified to him through the vehicles registration, Texas license plate number N33-VFG. GRAHAM was the sole occupant and driver of the 2002 Ford Explorer. CCPD surveillance units followed the Explorer to the [redacted] Corpus Christi, Texas. A CCPD patrol

unit was instructed to make contact with GRAHAM, detain him based on the search and arrest warrant and eventually transport GRAHAM back to [redacted] After GRAHAM was contacted at 9:33 P.M. and secured by the uniform officers, CCPD narcotics officers made entry inside [redacted]. GRAHAM's ex-wife [redacted] and her 14 year old daughter were inside the town home. TFO LOA and narcotics investigator DAY made contact with GRAHAM at 10:08 P.M. and read GRAHAM the Miranda warnings. GRAHAM refused to sign the Miranda form, yet verbally acknowledged that he understood his right. A briefcase found inside GRAHAM'S Explorer, on top of the front passenger's seat, was opened and a large amount of methamphetamine, inside several quart size zip lock baggies were found inside. A field test of one of the baggies of methamphetamine was field tested with positive results. A nine millimeter semi-automatic handgun, currency and several documents with SEAN GRAHAM'S name were also inside the briefcase. A possible drug ledger was found on the front passenger's seat of GRAHAM'S Explorer. The ledger had dollar amounts and names (nicknames and first names). An amount of marijuana (hydro), approximately 5.1 grams, was found inside the Explorer. GRAHAM was re-contacted by TFO LOA and narcotics investigator Day and advised of the items found inside the briefcase and Explorer. GRAHAM advised that he knew nothing about what was found. GRAHAM than stated that he would be killed if he talked and that if he was arrested, that nothing could be done after that. TFO LOA asked GRAHAM if he wanted to help himself and cooperate. GRAHAM advised that some people from Arizona could do some big stuff. GRAHAM refused to give specific names of information of other methamphetamine dealers and was transported to the Nueces County jail. A search of the town home was conducted and a total of $21,130 in U.S. currency was seized, seventeen (17) long guns to include an AR-15, rifles, shotguns, and twelve handguns. GRAHAM'S ex-wife, ELMORE was also Mirandized and asked about the weapons and currency. She advised that the weapons were SEAN's and that he had given her the currency to help her pay for bills, yet she did not know the amount. ELMORE advised that she did not get into GRAHAM'S business, but that he had a meth problem.

3. Based on the information above, Affiant submits that there is probable cause to believe that SEAN P. GRAHAM is in violation of Title 21, U.S.C. Section 841 (a)(1) and 846, possession with intent to deliver approximately 2.1 pounds of methamphetamine and conspiracy to possess and distribute methamphetamine.

ISMAEL LOA
Task Force Officer
Federal Bureau Of Investigation

Subscribed and Sworn to before me in Corpus Christi, Texas on the 11th day of August 2005.

BRIAN L. OWSLEY
U.S. Magistrate Judge